IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

Bail Appl..No. 1953 of 2007()

CRIME NO. 686 OF 2006 OF KOTTIYAM POLICE STATION, KOLLAM

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PETITIONER/ACCUSED NO.2:

ALBANKHAN, AGED 22 YEARS,
S/O.SULAIMAN KUNJU, PALLIVADAKATHILVEED,
KANNANALURCHERY, TRIKOVILVATTOM VILLAGE,
KOLLAM.

BY ADV. SRI.JACOB SEBASTIAN
SRI.A.RASHID

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP.BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM,
REPRESENTING SUB INSPECTOR OF POLICE,
KOTTAYAM POLICE STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 1953 OF 2007

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DATED: 30-03-2007

O R D E R

Petitioner who is the 2nd accused in Crime No. 686 of 2006 of Kottiyam Police Station for offences punishable under Sections 366 A and 376 read with Sec. 34 I.P.C. seeks his enlargement on bail. The petitioner was arrested on 12-03-2007.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that a 15 year old girl was enticed away by accused Nos. 1 to 3 on the promise that they will take her to Rasheed. After taking her in an autorickshaw, they satiated their lust in the girl. Thereafter, accused Nos. 4 and 5 also ravished the girl.

3. Having regard to the facts and other circumstances of the case and the present stage of investigation and also the duration of the judicial custody of the petitioner, I am not inclined to grant bail to the petitioner. Since the victim is below the age of consent and there is also the likelihood of the petitioner intimidating the witnesses, this petition is accordingly dismissed.

V.RAMKUMAR,

JUDGE.

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